

## WILDLIFE HELD IN CAPTIVITY—POSSESSION, SALE, TRANSPORTATION, DISEASES AND HEALTH PROBLEMS

By CHARLES V. GARNER

Possession of live game (using the term to cover animals, birds, fish and reptiles), when legally permitted, either for personal possession and propagation purposes or for sale and transportation, whether within the confines of a State or interstate, creates serious problems for game enforcement officers. These problems produce a chain reaction, in that, not only the two states involved in the transaction of purchase and delivery are directly affected, but also, each state through which the game is transported, from the state of origin to the state of destination, is indirectly involved. Yet this exploitation of wildlife is permissible in one form or another within each of the Southeastern Conference States. In fact, possession, sale and resale, with the resultant movement of game, has become a big business.

First, let us look at possession of game as pets or for propagation purposes. Game held under these permits is sometimes purchased, either inside or outside of the state, but most of the time, it is game captured by the person or the friend of the person applying for the permit. These game specimens are usually either the young, who are easily captured because of immaturity, or the sick, or injured specimens, who lack the vigor to avoid capture. These last two groups can, and sometimes do, create a health hazard. Many times game so held is mistreated. In most cases this is unintentional and arises because of inadequate facilities for properly housing game, or from not allowing enough room for exercising. Again, cleanliness, proper feeding and adequate clean water are factors frequently overlooked. Yet to keep a constant check on each individual holding game on possession permits is a terrifically difficult job. Many of these people are not truly scientifically interested in game but simply desire to be able to boast of an unusual pet. The reasons or whims for game possession are many and varied, but the true students are in a minority. Why then should we be so lax in allowing possession unless it has a definite purpose and scientific value? None of this game is domesticated; some become tamed, but inherited traits of the species, though latent for long periods of time, are fanned to life when exact conditions exist to arouse these latent traits, then the game reverts back to its primitive behavior pattern. We have had some unfortunate accidents occurring from possession of game when this reversion takes place. No one can blame the game involved for being true to its nature. Man himself is at fault for attempting to domesticate a specimen or specimens of a species born of the wild, and possessing by nature all the wild traits, good or bad, of its species. If people desire pets, we have many domestic species to choose from—dog, cat, horse, etc. Let those then, who desire a pet, keep their selection within the confines of domesticity, for nothing good is accomplished by permitting the possession of game as pets.

In the second place, we can examine briefly, the selling and transportation of game. This too, is permissible to some degree in each of the Southeastern Conference States. This poses an enforcement problem. Many times, the sale of certain species is perfectly legal in one state but the purchase of these same species and the importing of them into another state is a violation of the law of that State. Reasons for the violation of the law are as varied as are the violations themselves. At times, so called sportsmen becoming dissatisfied with the availability of some definite species, take upon themselves the purchase, importing and releasing of illegal game. Again, as previously mentioned, the purpose may be only the personal possession of an animal as a pet. Then too, it may be that the game in question is destined to eventually serve as a gourmet's entree at a fancy dinner. Whatever the purpose, each time a sale is consummated and delivery fulfilled a problem is posed for the game law enforcement personnel. This problem is much larger than at first appears for the determination of the legality of the transaction has many facets. Since then it falls our duty to enforce these laws governing the sale and transportation of game we must begin to consider the problem in its entirety, we must examine all the various facets involved. When making an investigation of purchase, sale, or

transportation of game, it has undoubtedly been true of each one of us, that we are usually interested only in the phase that is happening within our own small jurisdiction. We often assume, since the purchased species is acceptable for importation or exportation under our law, and the purchaser seemingly complies with all requirements of our state law, the entire transaction is legal. The same attitude is often adopted with reference to game being sold and shipped elsewhere by a bona fide dealer who follows the prescribed procedure of his state. But the laws in each state differ, sometimes drastically, and our own assumption of legality could be entirely wrong. It is possible that the part of the transaction that took place in another jurisdiction was anything but legal. It would be impossible for the individual law enforcement officers of each state to know all the laws governing the sale and possession of wildlife for each member state. Each has variances in law from the others. A questionnaire was sent to each of the member states of the Southeastern Conference regarding the type of control now exercised over captive wildlife. A tabulation of the replies received reflects the following statistics: Of the twelve states polled, eleven answered the questionnaire. Of these eleven, ten states require a Possession Permit, two require a Menagerie License and eleven require a Game Breeders License. In eight states, the Game Breeders License permits shipment of wildlife within and without the state, while the Possession permit is all that is necessary in two states. One state requires a special shipping permit for shipments outside the state by those not holding a Game Breeders license. Only one state has no restrictions on shipments. Nine states require an import permit while two states have no restrictions on importation of wildlife. Restrictions on importations vary widely. One state restricts only the importation of coyotes and three states have no restrictions whatever. Two states require prior authorization and a check on the species for permission to import and one state requires a veterinarian's certificate from the shipper and a veterinary inspection after arrival in the state. Four require only prior authorization for importations. Only four states have laws requiring reports of release of wildlife. Nine of the states polled, cooperate with some form of health agency while two do not. No state has had a serious outbreak of disease traceable to the importation of wildlife. It can readily be seen by the preceding answers to our survey that there is a crying need for laws that are uniform throughout the member states and this brief summary does not begin to point up the actual differences in the laws of the member states but only major differences in basic law. With uniform laws the enforcement problem would be simplified and we could achieve closer cooperation. The laws if written as they should be will be so designed and composed that the Warden apprehending a violation of sale, shipment, or purchase would know immediately that the laws of the state or states involved in the transactions have been violated and can then notify the proper authorities. It would practically eliminate illegal traffic in game. A uniform law would be the ideal answer to a problem that now exists for each and every one of us.

Third, there are a number of diseases which must be considered in reference to game. Let us consider game that is moved across state boundaries. Such diseases may seriously affect not only wildlife populations in the receiving state, but also humans which come in contact with the animals as a result of their transfer. Of these latter types, perhaps the most serious disease is rabies. This disease is particularly difficult to guard against because of its potentially long incubation period. A fox which has been exposed to the bite of another rabid carnivore, may not come down with the disease for as long as three months. During this time the animal may appear perfectly healthy and there is no easy way to tell that he has been exposed. For us in Maryland, this is particularly important since the incidence of rabies in our wild carnivores seems at present to be very low. It would be an unfortunate thing if the importation of a healthy looking, but eventually rabid, fox were to start a serious outbreak of rabies in our game population. The only logical ways to guard against such situations are either to prohibit entirely the importation of wild carnivores for any reason save closely regulated scientific study, or to provide for a length period of quarantine. Another disease, which may be spread by the transportation of wild carnivores, is distemper. While this disease does not directly affect humans, it may be fatal to some domestic animals and it often occurs in epidemic proportions among wild carnivore populations. An outbreak of distemper may do

more to ruin fox and raccoon hunting than bad weather or a poor food year possibly could. A hunting club which inadvertently released foxes with distemper might be putting itself out of the fox hunting business for a long time. Another animal that is frequently transported for restocking purposes is the cottontail rabbit. While the value of this practice is questionable, the operation may be conducted, with reasonable safety, only when closely supervised and where the rabbits originate from a reputable source. Rabbits are particularly susceptible to a dangerous bacterial disease known as tularemia. This is another disease which may start epidemics in native rabbits, drastically reducing the rabbit population. In addition, this disease may infect humans and its course may be quite serious. Any group which imports rabbits from questionable sources may be doing irreparable harm. A disease which may be carried by wild rodents is plague, plague has been found in California and thirteen other western states, extending as far east as Kansas and Texas. Frequent isolations of plague bacillus have been made from ground squirrels, prairie dogs, chipmunks and wood rats. Prairie dogs and chipmunks are most apt to be transported and kept as pets by people. In the period 1908 to 1948, 67 human cases of plague with 43 deaths have been traced to wild rodent contacts. Recently, the death of a Texas woman occurred following a visit to Colorado. During her stay, she had spent considerable time feeding the chipmunks in the camp ground.

Mammals are not the only serious carriers of disease. Birds may and do have and carry a number of diseases which may be transmissible to man or to his domestic birds and animals. Eastern Equine Encephalitis often occurs in wild birds. This disease may be fatal to horses and man. Ornithosis, a virus disease, which may occur in a number of wild birds, particularly the wild turkey, is another disease which may start epidemics among native birds and be a serious, sometimes fatal disease of humans which come in close contact with infected birds.

These are just a few of the diseases which may be introduced into clear areas by the introduction of non-native born wild animals and birds. However these examples will serve to illustrate the gravity of the problem.

Again as I have stated before, the large majority of wild animals taken into captivity by non-professional people are young or sick animals. These sick animals may be serious health hazards. It is not difficult to imagine the damage that could occur when a rabid raccoon, a pigeon with ornithosis or a rabbit with tularemia is taken into the kitchen of any home—usually one with small children. The mistaken kindness involved in this act may be fatal. A child with rabies is not a pretty sight to see. You would be amazed at the well-meaning people who take such chances with their lives and those of their children. Sick animals should be left strictly alone by all but trained individuals. The establishment and enforcement of captive animals laws would alleviate this condition to some extent.

Finally we have diseases which are important to wild animals in captivity. Most important are those diseases due to inadequate diet or shelter. Keeping a wild animal healthy is a demanding process and one which requires considerable training, patience, and expense. To expect a young raccoon to exist solely on table scraps is an instance where attempted kindness becomes prolonged cruelty. Wild animals in captivity require the kind of expensive cages, diet and equipment that only zoos or the experienced breeder can provide. Captive animals are too often the victims of severe malnutrition. Inadequate caging may cause the animals to infect themselves with parasitic worms to such an extent that death occurs. Things like parasitic round worms and hookworms thrive in dirty, contaminated quarters. Keeping captive animals healthy takes considerably more work and know-how than the average person has time or money to put into it. By and large, the kindest thing one can do for a wild animal, is to let him alone regardless of the circumstances.

Having all too briefly surveyed the foregoing problems, we may hazard some suggested remedies. The present laws pertaining to possession, sale, and transport of game are inadequate in many instances. There is no doubt that an entirely new approach through a uniform law to cover each of the aforementioned phases is needed. It would be new and unique, in that each of the member

states would have this identical law. This would undoubtedly be the first such game law so written and adopted by a conference of states, the first attempt ever to use a uniform law in controlling possession, sale, and transportation of game. This indeed, would add to the security of each state so far as possible where health hazards could arise from the import of diseased game. It is one of our primary purposes and duties to protect not only our renewable natural resources but also the people of our states. No one in our field of endeavor likes to think of outbreaks of disease in wild animals, but no doubt each of us has had this happen within our own state, much less do we want to experience an epidemic affecting humans due to infection from diseased game.

We in Maryland have had distemper in raccoons, and areas at times under quarantine because of rabies in foxes. There is never any guarantee that this unfortunate situation will not occur within our jurisdiction and it is almost impossible to determine with any great degree of accuracy how many of each species are diseased, how rapidly it will spread, or how far it will range. It is not an impossibility to have game held by a bona fide game breeder and dealer become infected from other wild game in the area, and very possible to have it spread from one state to another under our present hodge-podge of laws pertaining to sale and purchase in our conference states. Let us eliminate as best we possibly can the chance of our ever being a party, though unwittingly to an epidemic or near epidemic of a disease carried into our State by wild game and spread to humans.

A uniform code should include the following points:

(1) That no one be permitted to possess wild game as a pet nor capitalize on a few caged squirrels, raccoons, or other species to induce people to purchase gasoline, lunch, or what have you, so that little Junior and Sister Sue can view a few mangy, moth eaten specimens that one of their own kind would not even recognize. Why should we permit anyone to use our wildlife as a sales gimmick to further their own profits? Truly, this is their only interest in wildlife. They see not a caged wild animal pacing and yearning for the freedom to which their species was born, but a big fat dollar sign that with each pace around the cage, each squall or cry, shills in the suckers to be fleeced and these so-called friends of wildlife stand in back of the big front of being a true conservationist.

(2) That no one be permitted to possess game unless for scientific study by qualified persons or under strict state license, inspection, and supervision. Possession of any live wild animal, wild bird, fish, or reptile for true scientific study by qualified persons would require a permit from the Director of the Game and Fish Commission. Adequate substantiation of scientific intent and personal qualification would have to be submitted with the request for a permit. Any person, firm, or corporation engaged in the business of buying or selling any live wild animal, wild bird, fish, or reptile would be required at the end of each calendar month to file a report with the Director of the Game and Fish Commission. This report would list each species of live wild animal, bird, fish, or reptile held in captivity and the amount of each species. A record of each sale must be submitted along with the inventory reports. Sales records would contain the name and address of the purchaser and the amount and species purchased, the date of shipment or pick up, and the place of delivery. The seller would be required to notify in writing the Director of the Game and Fish Commission of the State wherein the purchaser resides giving a duplicate of the sales record.

The law should cover any wild animal, wild bird, fish or reptile without exception for there are many species that are not presently covered since they are not considered to be game. Yet they are just as much a threat to the health and welfare of our state as those we now have covered by our laws. Inspection and supervision of game breeders would insure adequate care and cleanliness.

(3) That no person or persons be permitted to cause to be brought into the state by either private or public conveyance any live wild animal, wild bird, fish, or reptile, without first filing his or their intentions to do so with the Director of Game and Fish Commission and obtaining a permit.

The above are only a few thoughts on the subject which legal lights would have to phrase properly but they do point up some of the badly needed regu-

lations. Truly, it would be a blame and a responsibility that could be placed nowhere but on us, if an epidemic among game or among humans as a result of disease of game, were to break out, due to existing faulty law. We have the duty to see to it that our laws are strengthened and brought to uniformity. If we do not succeed in this, then, gentlemen, we have failed in our trust—the protection of our wildlife and through it the protection of our citizens.

## PERMITS

By F. C. GILLET  
*U. S. Fish and Wildlife Service*

With the passage of the Migratory Bird Treaty Act of 1918, the Federal Government became directly responsible for the management of migratory birds. The management of these birds includes, in addition to the setting of the seasons and bag limits on game species, the prescribing of special rules and regulations and the issuance of permits for holding birds in captivity for scientific studies or for depredation control.

Until the fall of 1957 the issuance of all Migratory Bird permits was handled by our Central Office in Washington, D. C. Applications were sent directly to Washington and unless there was some question as to the propriety of the permit, action was taken to issue the permit without referral to the field. These procedures created problems for our law enforcement officers and, in line with the delegation of authority and responsibility to the field, the Regional Offices were given the responsibility for the permit programs in their regions.

Before going further, I will review the various types of permits issued by the Bureau.

1. *Propagating.* This is a conditional permit to possess, buy, sell and transport waterfowl and their eggs.
2. *Scientific Collecting.* This is a conditional permit to take, possess, exchange and transport migratory birds and their nests and eggs for scientific purposes.
3. *Scientific Possession.* This allows the possession and transportation for scientific purposes of migratory birds, their nests and eggs lawfully taken.
4. *Taxidermist.* Allows for the possession, mounting and transportation of migratory birds, their nests and eggs lawfully taken.
5. *Banding.* This permit allows the capture of migratory birds for scientific banding purposes.
6. *Experimental Breeding.* This permit provides for possession, purchase, sell, exchange and transportation of migratory game birds (except waterfowl) for experimental breeding.
7. *Permit to Take Waterfowl and Their Eggs for Propagating Purposes.* This is used infrequently and for a limited species.
8. *Permit to Possess, Mount and Transport Migratory Birds.* Used for birds found dead.
9. *Exhibition Permit.* Provides for taking, possessing and transportation of birds for exhibition at public zoos and zoological parks.
10. *Permit to possess and care for sick and injured migratory birds.*
11. *Permit to buy or sell migratory bird specimens for scientific purposes.*
12. *Permit to kill bald eagles to protect property.*
13. *Permit to take, possess and transport bald eagles for exhibition purposes.*
14. *Depredation Killing Permit.* This permits the killing of birds doing damage.

A herding permit, issued by the local Game Management Agent, is required where protected migratory birds are rallied by use of guns. An individual may use firecrackers, carbide exploders, or other devices to frighten birds out of fields without a permit. If he uses a gun, however, he may be subject to arrest unless he holds a herding permit. This permit does not authorize the killing